

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

CGS INDUSTRIES, INC., a Florida corporation,)

Plaintiff,)

vs.)

THE CHARTER OAK FIRE INSURANCE)
COMPANY, a Connecticut corporation,)

Defendant.)

CASE NO.: CV10-3186 JBW (JO)

Hon. Jack B. Weinstein

**DECLARATION OF ANDREW
M. SUSSMAN IN SUPPORT OF
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT AS TO
LIABILITY ON DEFENDANT'S
DUTY TO DEFEND**

I, ANDREW M. SUSSMAN, declare:

1. I am an attorney with Gauntlett & Associates, counsel for CGS Industries, Inc. ("CGSI"), the Plaintiff in this insurance coverage lawsuit against The Charter Oak Fire Insurance Company ("Charter Oak").

2. The facts set forth herein are within my personal knowledge and, if sworn as a witness, I could and would testify competently thereto under oath.

3. Attached as **Exhibit "13"** to CGSI's Request for Judicial Notice is a copy of a webpage that I printed from the Secretary of the State of Connecticut – Commercial Recording Division ("C.O.N.C.O.R.D.") website, <http://www.concord-sots.ct.gov>. The printout of the webpage states that Charter Oak is a citizen of and was incorporated in Connecticut.

4. I accessed the webpage from the C.O.N.C.O.R.D. website by clicking on "Search Database/Base Business." This directed me to a search page titled "Business Inquiry," where I then typed in the words "The Charter Oak Fire Insurance Company" into the "Search By Name" field. Upon clicking "Search" I was then directed to the "Business Inquiry Result" page that displayed a hyperlink titled "CHARTER OAK FIRE INSURANCE COMPANY, THE." I clicked on the hyperlink and was directed to the webpage attached as **Exhibit "13."**

5. The web address for the webpage attached as **Exhibit "13"** is:
<http://www.concord-sots.ct.gov/CONCORD/InquiryServlet?eid=14&businessID=0117848>

6. I accessed and printed the webpage attached as **Exhibit "13"** on July 15, 2010.

Executed at Irvine, California on the 9th day of August, 2010.



ANDREW M. SUSSMAN

CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2010, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Eastern District's Local Rules, and/or the Eastern District's Rules on Electronic Service upon the following parties and participants:

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